

from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. REED (for himself, Mrs. BOXER, and Mr. CHAFEE):

S. 1755. A bill to amend the Internal Revenue Code of 1986 to disallow tax deductions for advertising, promotional, and marketing expenses relating to tobacco product use unless certain advertising requirements are met; to the Committee on Finance.

By Mr. DASCHLE:

S. 1756. A bill to name the education center under construction at Fort Campbell, Kentucky, after Wendell H. Ford; to the Committee on Armed Services.

By Ms. SNOWE (for herself and Mr. D'AMATO):

S. 1757. A bill to amend the Public Health Service Act to extend the program of research on breast cancer; to the Committee on Labor and Human Resources.

By Mr. LUGAR (for himself, Mr. BIDEN, Mr. CHAFEE, Mr. LEAHY, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mr. CRAIG, Mr. COCHRAN, Mr. DEWINE, Mr. GLENN, Mr. HARKIN, Mr. INHOFE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KERREY, Mr. KERRY, Mr. KEMPTHORNE, Mr. LEVIN, Mr. MOYNIHAN, and Mr. MURKOWSKI):

S. 1758. A bill to amend the Foreign Assistance Act of 1961 to facilitate protection of tropical forests through debt reduction with developing countries with tropical forests; to the Committee on Foreign Relations.

By Mr. HATCH (for himself, Mr. CAMPBELL, Mr. MCCAIN, Mr. ABRAHAM, Mr. DOMENICI, Mr. GRASSLEY, and Mrs. HUTCHISON):

S. 1759. A bill to grant a Federal charter to the American GI Forum of the United States; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 1760. A bill to amend the National Sea Grant College Program Act to clarify the term Great Lakes; to the Committee on Commerce, Science, and Transportation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mrs. BOXER, and Mr. CHAFEE):

S. 1755. A bill to amend the Internal Revenue Code of 1986 to disallow tax deductions for advertising, promotional, and marketing expenses relating to tobacco product use unless certain advertising requirements are met; to the Committee on Finance.

THE CHILDREN'S HEALTH PRESERVATION AND TOBACCO ADVERTISING COMPLIANCE ACT

Mr. REED. Mr. President, I rise today to formally introduce legislation that would amend the Internal Revenue Code to deny tobacco companies any tax deduction for their advertising and promotional expenses when those ads are aimed at America's most impressionable group, children.

This bill addresses a key element in our ongoing public debate on tobacco: the industry's ceaseless efforts to market to children. My legislation can stand on its own, or can easily be incorporated into a comprehensive tobacco bill. With or without congressional action on the state attorney generals' tobacco settlement, it is time for Congress to put a stop to the tobacco industry's practice of luring children into untimely disease and death.

I am pleased to be joined today in introducing this legislation with Senators BOXER and CHAFEE, and I urge the rest of my colleagues to join us in this effort to protect America's children.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1755

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Children's Health Preservation and Tobacco Advertising Compliance Act".

SEC. 2. DISALLOWANCE OF TAX DEDUCTIONS FOR CERTAIN ADVERTISING, PROMOTION, AND MARKETING EXPENSES RELATING TO TOBACCO PRODUCT USE.

(a) IN GENERAL.—Part IX of subchapter B of chapter 1 of subtitle A of the Internal Revenue Code of 1986 (relating to items not deductible) is amended by adding at the end the following:

"SEC. 280I. DISALLOWANCE OF DEDUCTION FOR CERTAIN TOBACCO ADVERTISING, PROMOTION, AND MARKETING EXPENSES.

"(a) IN GENERAL.—No deduction shall be allowed under this chapter for any taxable year for any expenditure relating to advertising, promoting, or marketing tobacco products if such advertising, promoting, or marketing, or such expenditure is prohibited under the following subsections.

"(b) PROHIBITION OF CERTAIN ADVERTISING.—

"(1) PROHIBITION ON OUTDOOR ADVERTISING.—

"(A) IN GENERAL.—No manufacturer, distributor, or retailer may use any form of outdoor tobacco product advertising, including billboards, posters, or placards.

"(B) STADIA AND ARENAS.—Except as otherwise provided in this section, a manufacturer, distributor, or retailer shall not advertise tobacco products in any arena or stadium where athletic, musical, artistic, or other social or cultural events or activities occur.

"(2) PROHIBITION ON USE OF HUMAN IMAGES AND CARTOONS.—No manufacturer, distributor, or retailer may use a human image or a cartoon character or cartoon-type character in its advertising, labeling, or promotional material with respect to a tobacco product.

"(3) PROHIBITION ON ADVERTISING ON THE INTERNET.—No manufacturer, distributor, or retailer may use the Internet to advertise tobacco products unless such an advertisement is inaccessible in or from the United States.

"(4) PROHIBITION ON POINT OF SALE ADVERTISING.—

"(A) IN GENERAL.—Except as otherwise provided in this paragraph, no manufacturer, distributor, or retailer may use point of sale advertising of tobacco products.

"(B) ADULT ONLY STORES AND TOBACCO OUTLETS.—Subparagraph (A) shall not apply to point of sale advertising at adult only stores and tobacco outlets.

"(C) PERMISSIBLE ADVERTISING.—

"(i) IN GENERAL.—Each manufacturer of tobacco products may display not more than 2 separate point of sale advertisements in or at each location at which tobacco products are offered for sale.

"(ii) RETAILERS.—No manufacturer, distributor, or retailer may enter into any arrangement with a retailer to limit the ability of the retailer to display any form of permissible point of sale advertisement or promotional material originating with another manufacturer, distributor, or retailer.

"(D) LIMITATIONS.—

"(i) IN GENERAL.—A point of sale advertisement permitted under this paragraph shall be comprised of a display area that is not larger than 576 square inches (either individually or in the aggregate) and shall consist only of black letters on a white background or other recognized typographical marks. Such advertisement shall not be attached to nor located within 2 feet of any fixture on which candy is displayed for sale.

"(ii) AUDIO AND VIDEO FORMATS.—Audio and video advertisements otherwise permitted under this section may be distributed to individuals who are 18 years of age or older at point of sale but may not be played or viewed at such point of sale.

"(iii) DISPLAY FIXTURES.—Display fixtures in the form of signs consisting of brand name and price and not larger than 2 inches in height are permitted.

"(C) ADDITIONAL RESTRICTIONS.—

"(1) RESTRICTION ON PRODUCT NAMES.—A manufacturer shall not use a trade or brand name of a nontobacco product as the trade or brand name for a cigarette or smokeless tobacco product, except for a tobacco product whose trade or brand name was on both a tobacco product and a nontobacco product that were sold in the United States on January 1, 1998.

"(2) ADVERTISING LIMIT ACTIONS.—

"(A) IN GENERAL.—A manufacturer, distributor, or retailer may in accordance with this section, disseminate or cause to be disseminated advertising or labeling which bears a tobacco product brand name (alone or on conjunction with any other word) or any other indicia of tobacco product identification only in newspapers, in magazines, in periodicals or other publications (whether periodic or limited distribution), on billboards, posters and placards in accordance with subsection (b)(1), in nonpoint of sale promotional material (including direct mail), in point-of-sale promotional material, and in audio or video formats delivered at a point-of-sale.

"(B) LIMITATION.—A manufacturer, distributor, or retailer that intends to disseminate, or to cause to be disseminated, advertising or labeling for a tobacco product in a medium that is not described in subparagraph (A) shall notify the Secretary of Health and Human Services not less than 30 days prior to the date on which such medium is to be used. Such notice shall describe the medium and discuss the extent to which the advertising or labeling may be seen by individuals who are under 18 years of age.

"(C) ACTION BY SECRETARY.—Not later than 30 days after the date on which the Secretary receives a notice under subparagraph (B), the Secretary shall make a determination with respect to the action to be taken concerning such notice.

"(3) RESTRICTION ON PLACEMENT IN ENTERTAINMENT MEDIA.—No payment shall be made by any manufacturer, distributor, or retailer for the placement of any tobacco product or tobacco product package or advertisement—